

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF IOWA**

In re:)	
)	Chapter 11
MERCY HOSPITAL, IOWA CITY, IOWA,)	Case No. 23-00623 (TJC)
<i>et al.</i> ,)	
)	Jointly Administered
Debtors.)	EXPEDITED RELIEF REQUESTED

**TRUST OVERSIGHT COMMITTEE’S EXPEDITED UNCONTESTED MOTION TO
CONTINUE HEARING ON MERCYONE’S BANKRUPTCY RULE 2004 MOTION**

The Mercy Hospital Liquidation Trust Oversight Committee as designee of the Liquidation Trustee (the “OC”) of the Mercy Hospital, Iowa City, Iowa Liquidation Trust (the “Liquidation Trust”), hereby moves (the “Motion”) for entry of an order substantially in the form attached hereto as **Exhibit A** (the “Proposed Order”), granting the relief described below. In support thereof, the OC represents as follows:

RELIEF REQUESTED

1. By this Motion, the OC respectfully requests the entry of the Proposed Order continuing the telephonic hearing currently scheduled for April 18, 2025 at 11:00 AM on *Mercy Health Network Inc.’s Motion for Entry of an Order Requiring the OC to Produce Records and Submit to Examination Pursuant to Bankruptcy Rule 2004* [Docket No. 1858] (the “MercyOne Rule 2004 Motion”) to Friday, April 25, 2025 at 2:30 PM.

2. The United States Bankruptcy Court for the Northern District of Iowa (the “Court”) has jurisdiction to consider the Motion pursuant to 28 U.S.C. §§ 157 and 1334 and the Public Administrative Order referring bankruptcy cases entered by the United States District Court for the Northern District of Iowa. This is a core proceeding under 28 U.S.C. § 157(b). Venue of these cases and the Motion in this District is proper under 28 U.S.C. §§ 1408 and 1409.

3. The legal predicates for the relief requested herein are section 105 of title 11 of the United States Code (the “Bankruptcy Code”) Rule 5071-1 of the *Local Rules of Bankruptcy Practice and Procedure* (the “Local Rules”).

BACKGROUND

4. On March 28, 2025, Mercy Health Network, Inc. d/b/a MercyOne (“MercyOne”) filed the MercyOne Rule 2004 Motion. A telephonic hearing on the MercyOne Rule 2004 Motion is currently set for April 18, 2025 at 11:00 AM [Docket No. 1859].

5. The undersigned counsel for the OC has an all-day injunction hearing in Dubuque County that has now been set for April 18, 2025.

6. Accordingly, counsel for the OC reached out to counsel for MercyOne about a short continuance of the hearing on the MercyOne Rule 2004 Motion. Counsel for MercyOne consented to a continuance of the hearing on the MercyOne Rule 2004 Motion and stated his availability on Friday, April 25, 2025 at 2:30 PM.

CONTINUANCE OF THE HEARING

7. Based on the obligations of counsel for the OC to other clients and MercyOne’s consent to the continuance, the OC respectfully requests that the Court enter the Proposed Order and continue the hearing on the MercyOne Rule 2004 Motion to Friday April 25, 2025 at 2:30 PM.

8. The reasons set forth herein and the consent of the MercyOne constitutes good cause for the continuance sought herein and is in compliance with Local Rule 5071-1.

Dated: April 10, 2025
Cedar Rapids, Iowa

NYEMASTER GOODE, P.C.

/s/ Roy Leaf

Roy Leaf, AT0014486
625 First Street SE, Suite 400
Cedar Rapids, IA 52401-2030
Telephone: (319) 286-7002
Facsimile: (319) 286-7050
Email: rleaf@nyemaster.com

- and -

Leslie C. Behaunek, AT0011563
700 Walnut, Suite 1300
Des Moines, IA 50309
Telephone: (515) 283-3100
Fax: (515) 283-8045
Email: lcbehaunek@nyemaster.com

*Counsel for the Mercy Hospital Liquidation Trust
Oversight Committee as Designee of the
Liquidation Trustee*

Certificate of Service

The undersigned certifies, under penalty of perjury, that on this April 10, 2025, the foregoing document was electronically filed with the Clerk of Court using the Northern District of Iowa CM/ECF and the document was served electronically through the CM/ECF system to the parties of this case

/s/ Roy Leaf